

Filing Fee
Filing Deadline
Board of Zoning Appeals Hearing
Applicants must send written notice of public hearings by certified or registered mail to all adjoining and facing property owners at least 10 days prior to the Board of Zoning
Appeals hearing, and not more than 30 days prior to the hearing.
Send notices by certified or registered mail between the dates of
and

INSTRUCTIONS

All materials are required to be uploaded to the Customer Service (CSS) Portal for a complete submission.

- 1. **FILING DEADLINE INSTRUCTIONS:** Board of Zoning Appeals applications, with required plans, must be submitted to the Department of Planning and Zoning at least 30 working days prior to the hearing date. Failure to submit all required information and plans by the filing deadline will result in the application being deferred to a later hearing date.
- 2. **FORMS:** Please complete the following forms below:
 - **APPLICATION:** Complete the form titled "Application for Variance: Board of Zoning Appeals."
 - FLOOR AREA RATIO FORMS: Complete form <u>A</u> for single and two–family residences outside the historic districts. Complete form <u>B</u> for all other properties.
- 3. **PDF PLANS**: Supporting materials are to be submitted with each application. Plans, drawings, photos, or other materials should not exceed 11" x 17" and should not be smaller than 8.5" x 11". All plan sets must be to scale. Applications without the required supporting materials will be deemed incomplete and will not be scheduled for hearing by the BZA.
- 4. **PHOTOGRAPHS:** Applicants must submit photographs of the property in the location where the variance is requested.
- 5. **FILING FEE:** Application fees are to be paid online through the CSS Portal. Once an application is submitted, staff will invoice the applicant with payment instructions. The application will not be processed until payment is received.
- 6. **PROPERTY OWNER NOTIFICATION:** Applicants must send written notice to all adjoining and facing property owners; notices must be sent by certified or registered mail **at least ten days** prior to the Board of Zoning Appeals public hearing (not counting the date of the hearing) and **not more than 30 days** prior to the hearing. Applicants may use the notice form supplied with the application forms. See page 16-20 for property owner notification instructions and. In the event the application is deferred, notification shall be given again. The following must be submitted to the Department of Planning and Zoning no later than **five calendar days** prior to the public hearing:
 - a copy of the notice letter sent
 - a list of the names and addresses of those persons to whom notice was sent
 - a copy of the post office receipts for the certified or registered mail
 - "Certification of Notice" form found at the back of this application.

Failure to send accurate or correct notices will result in deferral of the application to a later hearing date. Property ownership information is to be obtained from the City Real Estate Assessment Office, Room 2600, City Hall, 301 King Street or online at www.alexandriava.gov/city/realestate.

BOARD OF ZONING APPEALS PROCESS

PUBLIC HEARINGS - BOARD OF ZONING APPEALS

The Board of Zoning Appeals meets on the second Monday of each month in the City Council Chambers, City Hall, at 7:00 P.M. Meeting dates should be verified by the applicant prior to the hearing as they are subject to change. **The applicant or a representative must attend the meeting.**

DEFINITION OF VARIANCE, Code of Virginia § 15.2-2201

"Variance" means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

STANDARDS FOR VARIANCE, Code of Virginia § 15.2-2309

The Board of Zoning Appeals may grant a variance if the evidence shows that the strict application of the City's Zoning Ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and the following criteria are met:

- i. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- ii. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- iii. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- iv. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property;
- v. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application

EFFECTIVE PERIOD OF VARIANCE

Any variance granted by the Board of Zoning Appeals is valid for a period of one year from the date the variance is approved. If no construction or operation has commenced within one year from the date of approval, the variance becomes null and void.

APPEAL OF THE BOARD OF ZONING APPEALS DECISION

Any person jointly or severally aggrieved or affected by a decision of the Board of Zoning Appeals may appeal such decision by filing a petition in the Circuit Court of the City. The petition shall set forth the alleged illegality of the Board's action, and shall be filed within 30 days from the date of the decision of the Board.

RECONSIDERATION OF AN APPLICATION

If an application for a variance is denied, the Board of Zoning Appeals shall not consider an application for the same variance on the same site again for one year unless the new application differs in a substantial and material way from the old one, in which case it may be reconsidered after six months.

For assistance with any of these procedures or processes, please call the Department of Planning and Zoning at 703-746-4333.



Section of zoning ordinance from which request for variance is made:

PAR	<u>Г А</u>
1.	Applicant: [] Owner [] Contract Purchaser [] Agent
	Name
	Address
	Daytime Phone
	Email Address
2.	Property Location
3.	Assessment Map # Block Lot Zone
4.	Legal Property Owner Name
	Address

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name

Address

Percent of Ownership

Name	Address	Percent of Ownership
1.		
2.		
3.		
2. Property. State the name	e, address and percent of owner	ership of any person or entity o

Name	Address	Percent of Ownership	i
of the application in the real p	property which is the subject of	the application.	_
percent. The term ownership	interest shall include any legal	l or equitable interest held at the	e time
entity is a corporation or parti	nership, in which case identify	each owner of more than three	!
an interest in the property loc	ated at	(address), unless the	е
2. Property. State the name	e, address and percent of owne	ership of any person or entity o	wning

Name	Address	Percent of Ownership
1.		
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review (OHAD and Parker-Gray). All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity below and "NONE" in the corresponding fields.)

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

5.	Describe	request	briefly:
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6. If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor or other person for which there is a form of compensation, does this agent or the business in which they are employed have a business license to operate in the City of Alexandria, Virginia?

Yes — Provide proof of current City business license.

No — Said agent shall be required to obtain a business prior to filing application.

THE UNDERSIGNED HEREBY ATTESTS that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

I, as the applicant or authorized agent, note that there is a fee associated with the submittal of this application. Planning & Zoning Department staff will be in contact with the applicant regarding payment methods. Please recognize that applications will not be processed until all fees are paid.

Yes No I affirm that I, the applicant or authorized agent, am responsible for the processing of this application and agree to adhere to all the requirements and information herein.

Printed Name:	Date:

Signature:

Pursuant to Section 13-3-2 of the City Code, the use of a document containing false information may constitute a Class 1 misdemeanor and may result in a punishment of a year in jail or \$2,500 or both. It may also constitute grounds to revoke the permit applied for with such information.

PART B

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please **attach** additional pages where necessary.)

1.	Please answer A or B:

A.	Explain	how	enforcement	of th	zoning	ordinance	would	prevent
	reasona	ble us	se of the prop	erty.				

B. Explain how the variance, if granted, would alleviate a hardship, as defined above.

- 2. Is this unreasonable restriction or hardship unique to the property?
 - A. Explain if the restriction or hardship is shared by other properties in the neighborhood.

B. Does this situation or condition of the property (on which this application is based) generally apply to other properties in the same zone?

	3.	Was the unre	easonable restriction	or hardship caused by	the applicant?
		A. Did th	e condition exist who	en the property was purd	chased?
	B.		plicant purchase th or hardship?	e property without kno	owing of this
	C.		hen did the conditi or hardship, first occ	on, which created the ur?	unreasonable
	D.	-	plicant create the u	inreasonable restriction	or hardship
4.		Will the variance	ce, if granted, be har	mful to others?	
		<u>-</u>	if the proposed vari es or the neighborho	ance will be detrimenta	I to the adjacent

B.	Has the applicant shown the proposed plans to the most affected
	property owners? Have these property owners written statements of
	support or opposition of the proposed variance? If so, please attach
	the statements or submit at the time of the hearing.

5. Is there any other administrative or procedural remedy to relieve the hardship or unreasonable restriction?

PART C

1. Have alternative plans or solutions been considered so that a variance would not be needed? Please explain each alternative and why it is unsatisfactory.

2.	requested variance meets the required standards.
	ATTENTION APPLICANTS
Varian of you	time of application for a Special Use Permit, Rezoning, Vacation, Encroachment, ce, Special Exception or Subdivision, you must provide a draft of the description r request you intend to use in the property owner's notice. You must be thorough r description. Staff will review the draft wording to confirm its completeness.
The ex	ample illustrates a detailed description:
"Varian Street.'	nce to construct a two-story addition in the required side yards on
	fail to submit draft language at the time of the application filing deadline, the ation will be determined to be incomplete and may be deferred by staff.



Department of Planning and Zoning Floor Area Ratio and Open Space Calculations for Single and Two-Family Residential Outside Historic Districts



A.	Property Information	1			
A1. Street Address					Zone
A2.	Sileet Address	x			Lorie
AZ.	Total Lot Area	^	Floor Area Ratio Allowed by Zone	= N	Maximum Allowable Floor Area
	Existing Gross Floor Existing Gross Area Basement First Floor Second Floor Third Floor Attic Porches Balcony/Deck Garage Other*** Total Gross		Allowable Exclusions** Basement** Stairways** Mechanical** Attic less than 7'** Porches** Balcony/Deck** Garage** Other*** Total Exclusions	E	Sq. Ft. Existing Gross Floor Area* Sq. Ft. Allowable Floor Exclusions** Sq. Ft. Existing Floor Area Minus Exclusions (subtract B2 from B1) Comments for Existing Gross Floor Area
C.	Proposed Gross Floor Proposed Gross Area Basement First Floor Second Floor Third Floor Attic Porches Balcony/Deck	or Area	Allowable Exclusions** Basement** Stairways** Mechanical** Attic less than 7'** Porches** Balcony/Deck** Garage**	(Sq. Ft. Proposed Gross Floor Area* Sq. Ft. Allowable Floor Exclusions** Sq. Ft. Sq. Ft. Proposed Floor Area Minus Exclusions (subtract C2 from C1)
	Garage Other*** Total Gross Total Floor Area Total Floor Area (add B3 area) Total Floor Area Allowed by Zone (A2)	Sq. Ft.	Other*** Other*** Total Exclusions E. Open Space (RA & RB Zones) E1. Sq. F Existing Open Space E2. Sq. F Required Open Space	₹t.	*Gross floor area for residential single and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RB and RA zones (not including properties located within a Historic District) is the sum of all areas under roof of a lot, measured from exterior walls. ** Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for information regarding allowable exclusions. Sections may also be required for some exclusions. *** Refer to the Zoning Ordinance (Section
Th -	, , ,		Proposed Open Space		2-145(A)) and consult with Zoning Staff for additional allowable exclusions. Additional exclusions may include space under balconies, retractable awnings, etc.
ı ne un	aersignea nereby certifie	s and attests	tnat, to the best of his/her knowledg	e, th	e above computations are true and correct.

Signature:	Doto:
Signature	Date:



Department of Planning and Zoning Floor Area Ratio and Open Space Calculations

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A.	A. Property Information						
A1.							
	Street Address					Zone	е
A2.	Total Lot Area	X		oor Area Ratio Allowed by Zone	=	Max	imum Allowable Floor Area
B.	Existing Gross F		<u> </u>	ullowable Exclusions**			
	Basement		В	sasement**		B1.	Sq. Ft.
	First Floor		S	stairways**			Existing Gross Floor Area*
	Second Floor		N	Mechanical**		B2.	Sq. Ft.
	Third Floor		А	attic less than 7'**			Allowable Floor Exclusions**
	Attic		Р	Porches**		B3.	Sq. Ft. Existing Floor Area Minus Exclusions
	Porches		В	salcony/Deck**			(subtract B2 from B1)
	Balcony/Deck		L	avatory***		Con	nments for Existing Gross Floor Area
	Lavatory***		C	Other**			
	Other**		C	Other**			
B1.	Total Gross	В	32. <u>T</u>	otal Exclusions			
C.	Proposed Gross Are		^	Illowable Exclusions**			
	Basement	<u> </u>	_	asement**		C1.	Sq. Ft.
	First Floor		S	stairways**		C 1.	Proposed Gross Floor Area*
	Second Floor			flechanical**		C2.	Sq. Ft.
	Third Floor			attic less than 7'**			Allowable Floor Exclusions**
	Attic			Porches**		C3.	Sq. Ft.
	Porches			alcony/Deck**			Proposed Floor Area Minus Exclusions (subtract C2 from C1)
	Balcony/Deck			avatory***			
	Lavatory***			Other**			
	Other			Other**			Notes
C1	Total Gross			otal Exclusions			*Gross floor area is the sum of all areas
C1.	Total Gross	`	02. <u>1</u>	Otal Exclusions			under roof of a lot, measured from the face of exterior walls, including basements,
D.	Total Floor Area		E	E. Open Space (RA & RB Zones)			garages, sheds, gazebos, guest buildings and other accessory buildings.
D1.		Sq. Ft.		Sq. F	₹t.		** Refer to the Zoning Ordinance (Section 2-145(B)) and consult with Zoning Staff for
	Total Floor Area (add	B3 and C3)	_	Existing Open Space			information regarding allowable exclusions. Sections may also be required for some
D2.		Sq. Ft.	E	E2. Sq. F	₹t.		exclusions.
	Total Floor Area Allow by Zone (A2)	ved		Required Open Space			***Lavatories may be excluded up to a maximum of 50 square feet, per lavatory.
	<i>by</i> 20110 (712)		E	E3. Sq. F	₹t.		The maximum total of excludable area for lavatories shall be no greater than 10% of
				Proposed Open Space			gross floor area.
Thous	dereigned hereby es	rtifice and attack	te th	at to the best of his/her knowledge	ıc 4	ho o	bove computations are true and correct.
iiie ull	aci signed nereby ce	i inico anu alles	เอเม	ar, to the best of morner knowledg	յ ս , ւ	iic a	DO TO COMPULATIONS ALE HAE AND COMECL.

ATTENTION APPLICANTS

At the time of application for a Special Use Permit, Rezoning, Vacation, Encroachment, Variance, Special Exception or Subdivision, you must provide a draft of the description of your request you intend to use in the property owner's notice. You must be thorough in your description. Staff will review the draft wording to confirm its completeness.

"Variance	to	construct	а	two-story	addition	in	the	required	side	yards	on
		Str	eet	,,				•		-	

The example illustrates a detailed description:

If you fail to submit draft language at the time of the application filing deadline, the application will be determined to be incomplete and may be deferred by staff.

PROPERTY OWNER NOTIFICATION

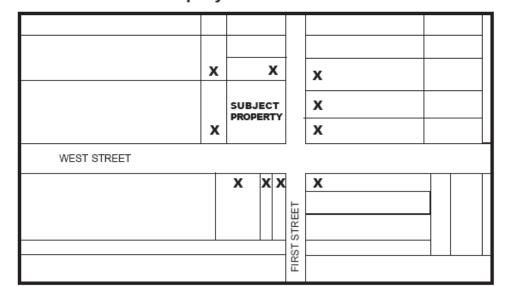
PROPERTY OWNER NOTIFICATION: Applicants must send written notice to all adjoining and facing property owners; notices must be sent by certified or registered mail **at least ten days** prior to the Board of Zoning Appeals public hearing (not counting the date of the hearing) and **not more than 30 days** prior to the hearing. Applicants may use the notice form supplied with the application forms. In the event the application is deferred, notification shall be given again.

The following notice documents must be submitted to the Department of Planning and Zoning no later than **five calendar days** prior to the public hearing:

- 1. a copy of the notice letter sent
- 2. a list of the names and addresses of those persons to whom notice was sent
- 3. a copy of the post office receipts for the certified or registered mail
- 4. "Certification of Notice" form found at the back of this application.

Failure to send accurate or correct notices will result in deferral of the application to a later hearing date. Property ownership information is to be obtained from the City Real Estate Assessment Office, Room 2600, City Hall, 301 King Street or online at www.alexandriava.gov/city/realestate.

Example diagram of adjoining property owners



X = Property owners to be notified

Sketch showing subject site and property owners to be notified pursuant to Article XI, Section 11-300 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia. This is a sample sketch only and is not to be used as a final authority when sending notice if in doubt, it is advisable to provide notice to additional properties. Contact staff at 703-746-4333 for assistance regarding notice.

NOTE: If inadequate notice is given, the request cannot be heard and will be deferred.

ZONING ORDINANCE ARTICLE XI, SECTION 11-300 NOTICE OF PUBLIC HEARINGS

SECTION 11-301

Required Notice: Except as provided by Section 11-302, written notice, placard notice and newspaper notice shall be given before each public hearing by Planning Commission, City Council, Board of Zoning Appeals, Subdivision Committee or Board of Architectural Review.

- **A) Written Notice:** The applicant shall send by certified or registered mail written notice at least ten and no more than 30 days prior to the hearing. Restricted delivery or return receipt is not required.
 - 1) Recipients of Written Notice: Written notice shall be sent to the property owner, if different from the applicant, and to the owners of all abutting properties. In the case of a condominium, written notice may be mailed or delivered to the president of the board of the condo owner's association instead of to each individual unit owner.
 - 2) Contents of Written Notice: Written notice shall contain the following information:
 - (a) the time, date and place of all hearings scheduled; and
 - (b) a description of the matter being heard, including the tax map number of the property and the complete street address of the property.
- **B) Placard** and **Newspaper Notice:** The City staff will provide placard notice and newspaper advertisement. After the public hearing, the applicant may remove and discard the placard(s), or staff will remove the placard within seven days after the hearing.

Staff Only:	BZA	Case #_	
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Applicant to mail this notice by certified or registered mail to adjoining and abutting property owners between 30 and 10 days prior to the hearing.



NOTICE OF PUBLIC HEARINGS

BOARD OF ZONING APPEALS

You are hereby notified of the following public hearing to be held by the Board of Zoning Appeals on the issues described below.

BOARD OF ZONING APPEALS PUBLIC MEETING DATE: _____

AT
7:00 PM, CITY HALL
301 KING STREET
COUNCIL CHAMBERS, SECOND FLOOR
ALEXANDRIA, VIRGINIA 22314

ISSUE DESCRIPTION:

PROPERTY ADDRESS:				
TAX ASSESSMENT MAP NUME	BER: Map	Block	Lot	
As a citizen and party of interes your views concerning the aborequest, you can reach me at	ove issue. If yo	ou have any q	•	
Sincerely,				
Applicant Signature	Applicant	Printed Name		_

NOTE: Applicant to return all notice documents at least 5 days prior to the hearing to: Department of Planning and Zoning, 301 King Street, Room 2100.

Staff Only:	BZA	Case	e #	
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Signature

Telephone

CERTIFICATION OF NOTICE

RCINIA	BOA	RD OF ZONING APPEALS
		SPECIAL EXCEPTION VARIANCE APPEAL
		TO: DIRECTOR OF PLANNING AND ZONING 301 KING STREET, ROOM 2100 ALEXANDRIA, VIRGINIA 22314
Article X Virginia		on 11-301(A)(3), of the 1992 Zoning Ordinance of the City of Alexandria
following 1. a (2. a (3. co 4. a	notice of the pies of the certifica	ays prior to the hearing, the applicant shall supply the director with the documents: the notice sent e names of those persons to whom notice has been given the post office receipts for registered or certified mail attended that notice has been sent by certified or registered mail to whom notice is required to be given.
assessment	s to dete	I use the records and maps maintained by the city's office of real estate ermine the proper recipients of notice and reliance upon such records shall be with the requirements of this section 11-301(A).
as required	pursuar andria,	ereby certifies that the notice to adjoining property owners (copy attached) nt to Article XI, Section 11-301(A)(3) of the 1992 Zoning Ordinance of the Virginia, was sent to the attached list of property owners concerning the DATE)
PROPERT	Y ADDI	RESS:
ISSUE DES	SCRIPT	ION:
Signature		Print Name

NOTE: Applicant to return all notice documents at least 5 days prior to the hearing to: Department of Planning and Zoning, 301 King Street, Room 2100.

Date

Staff Onl	ly:	BZA	Case	#
Stall Ulli	y.	DZA	Case	#



PROPERTY OWNERS LIST

BOARD OF ZONING APPEALS

			_	
SUBJECT ADDRESS		TAX ASSESSMENT MAP NUMBER		
Adjoining property owner names and addresses can be obtained by visiting the City website at www.alexandriava.gov and following the link to Real Estate Assessments, or by visiting the Office of Real Estate Assessments at City Hall, 301 King Street, Room 2600.				
ADJOINING PROPERTY OWNER'S NAME & MAILING ADDRESS			TAX ASSESSMENT MAP NUMBER	
Property Address				
Owner Name				
Mailing Address				
City, State, Zip				
Property Address				
Owner Name				
Mailing Address				
City, State, Zip				
		•		
Property Address				
Owner Name				
Mailing Address				
City, State, Zip				
			•	
Property Address				
Owner Name				
Mailing Address				
City, State, Zip				

Property Address	
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Owner Name	
Mailing Address	
City, State, Zip	
Property Address	
Owner Name	
Mailing Address	
City, State, Zip	
Property Address	
Owner Name	
Mailing Address	
City, State, Zip	

NOTE: Applicant to return all notice documents at least 5 days prior to the hearing to: Department of Planning and Zoning, 301 King Street, Room 2100.